

520 Rec PCT/PTO 23 AUG 1999

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
DESIGNATED/ELECTED OFFICE (DO/EO/US)

CERTIFICATION UNDER 37 CFR §1.10

I hereby certify that this RESPONSE and the documents referred to as enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service Express Mail Label No. EL188619451US under 37 CFR §1.10, on the date indicated below and is addressed to: Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231.

Thomas Fitting August 23, 1999  
Thomas Fitting, Reg. No. 34,163 Date of Deposit

Applicant: Feng, et al. )  
U.S. Serial No.: 09/194,889 )  
Art Unit No.: Unassigned )  
International )  
Application No.: PCT/US97/09684 ) Examiner: Unassigned )  
International )  
Filing Date: June 4, 1997 )  
Title: DIAGNOSTIC AND THERAPEUTIC )  
METHODS RELATED TO REGULATING )  
ENERGY MOBILIZATION WITH )  
OB PROTEIN AND OB ANTIBODIES ) Our Ref. No.: TSRI 540.1 )

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)

Assistant Commissioner for Patents  
Washington, D.C. 20231  
ATTN: BOX PCT

Dear Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 mailed June 21, 1999, enclosed is a copy of the Declaration and Power of Attorney document in support of the above-identified application. Please be advised that the original Declaration and Power of Attorney was filed with the U.S. Patent Office during the Internatinal Phase on September 16, 1997 with the Response to Invitation to Correct Defects.

Also, enclosed is a copy of the Power of Attorney by Assignee filed on December 4, 1998 as well as a Statement Under 37 CFR 3.73(b).

08/26/1999 PVOLPE 00000103 09194889


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110.00 DP

Since the Declaration was filed within 30 months from the priority date (37 CFR 1.492(e)), applicants are not required to pay the surcharge for filing a late Oath or Declaration.

Please charge any additional fee concerning this matter to our Deposit Account No. 19-0962.

Respectfully submitted,

By   
Thomas Fitting, Reg. No. 34,163

THE SCRIPPS RESEARCH INSTITUTE  
10550 North Torrey Pines Road  
Mail Drop TPC-8  
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(619) 784-2937

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09/194880



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

U.S. APPLICATION NO	FIRST NAMED APPLICANT	ATTY DOCKET NO
09/194,889	FENG	SCR18321
DOCKETED Due: 7/21/99 Final: 11/21/99		TSRI 540.1
THE SCRIPPS RESEARCH INSTITUTE OFFICE OF PATENT COUNSEL 10550 NORTH TORREY PINES ROAD TPC 8 LA JOLLA CA 92037		INTERNATIONAL APPLICATION NO
		PCT/US97/09684
		I.A. FILING DATE
		PRIORITY DATE
		06/04/97
		06/04/96
		DATE MAILED: 06/21/99

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as
- ☐ a Designated Office (37 CFR 1.494),  
☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.  
☒ Copy of the international application in:  
☐ a non-English language.  
☒ English.
- ☐ Translation of the international application into English.  
☐ Oath or Declaration of inventor(s) for DO/EO/US.  
☐ Copy of Article 19 amendments.  
☐ Translation of Article 19 amendments into English.  
☒ The International Preliminary Examination Report in English and its Annexes, if any.  
☐ Translation of Annexes to the International Preliminary Examination Report into English.  
☐ Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_.  
☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.  
☐ Assignment document.  
☐ Power of Attorney and/or Change of Address.  
☐ Substitute specification filed \_\_\_\_\_.  
☐ Statement Claiming Small Entity Status.  
☐ Priority Document.  
☐ Copy of the International Search Report ☐ and copies of the references cited therein.  
☐ Other:
2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.  
☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice *MUST* be returned with this response.**

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Lamont Hunter  
National Stage Processing  
Telephone: (703) 305-3888

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this POWER OF ATTORNEY BY ASSIGNEE and the documents referred to as enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service Mail Label No. EL188618235US under 37 CFR 1.10 on the date indicated below and is addressed to: Box Patent Application, Assistant Commissioner for Patents, Attn: Box PCT, Washington, D.C. 20231.

Thomas Fitting, Reg. No. 34,163

Date of Deposit

Applicant: Feng, et al.	)	
	)	
Serial No.: PCT/US97/09684	)	
	)	
Filed: 4 June 1997	)	
	)	
Title: DIAGNOSTIC AND THERAPEUTIC	)	
METHODS RELATED TO REGULATING	)	
ENERGY MOBILIZATION WITH OB	)	
PROTEIN AND OB ANTIBODIES	)	Our Ref.: 540.1

POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST  
(REVOCATION OF PRIOR POWERS)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

As assignee of record of the entire interests of the above identified application; all powers of attorney previously given are hereby revoked, and the following attorneys and/or agents are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected herewith.

Douglas A. Bingham, Reg. No. 32,457  
Thomas Fitting, Reg. No. 34,163  
Donald G. Lewis, Reg. No. 28,636  
Emily Holmes, Reg. No. 40,652  
Thomas E. Northrup, Reg. No. 33,268

Please send all correspondence in the above application to:

The Scripps Research Institute  
Office of Patent Counsel, TPC-8  
10550 North Torrey Pines Road  
La Jolla, California 92037

ASSIGNEE: THE SCRIPPS RESEARCH INSTITUTE

Signature:

  
\_\_\_\_\_  
Douglas A. Bingham

Vice President and General Counsel